

IN THE UNITED STATES RECEIVING OFFICE

Applicant : Robert Simari  
 Serial No. : 09/980,525  
 Filed : November 15, 2001  
 Title : ADENOVIRUS VECTORS ENCODING BRAIN NATRIURETIC PEPTIDE

**BOX PCT**

Commissioner for Patents  
 Washington, D.C. 20231

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Responsive to the Notification of Missing Requirements under 35 U.S.C. 371  
 mailed January 18, 2002, Applicant as a small entity submits herewith the following:

- ☒ Payment of the surcharge of \$65 for late filing of the basic filing fee and/or declaration;
- ☒ A Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63 (2 sheets);
- ☒ Paper copy of Sequence Listing (6 sheets);
- ☒ Computer Readable Copy of Sequence Listing;
- ☒ Preliminary Amendment (3 sheets); and
- ☒ Verified Statement Under 37 CFR 1.821(f) (1 sheet).

03/21/2002 UEDUVIJE 00000080 09980525

01 FC:254

65.00 OP

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL734686763US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

March 18, 2002  
 Date of Deposit

[Signature]  
 Signature

Vince Defante  
 Typed or Printed Name of Person Signing Certificate


Applicant : Robert Siman  
Serial No. : 09/980,525  
Filed : November 15, 2001  
Page : 2

Attorney's Docket No.: 07039-280001

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: March 18, 2002

  
J. Patrick Finn III, Ph.D.  
Reg. No. 44,109

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60 South Sixth Street, Suite 3300  
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USE  
JXF

UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/980,525	Robert Simari	07039-280001

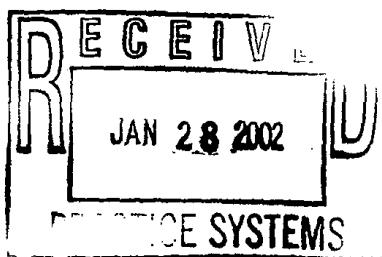
INTERNATIONAL APPLICATION NO.
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PCT/US00/14351

I.A. FILING DATE	PRIORITY DATE
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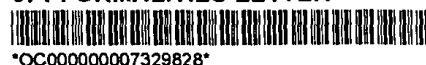
05/24/2000

Mark S Ellinger  
 Fish & Richardson  
 60 South Sixth Street Suite 60  
 Minneapolis, MN 55402



CONFIRMATION NO. 5964

371 FORMALITIES LETTER



\*OC000000007329628\*

Date Mailed: 01/18/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Small Entity Statement

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
  - APPLICANT MUST PROVIDE:
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600

- For Patent Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

DEBORAH D WILLIAMS

Telephone: (703) 305-3744

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/980,525	PCT/US00/14351	07039-280001

DOCKETED BY PRACTICE SYSTEMS

ACTION: Pat 2m Missing Regs.  
 BASE: 1-18-02  
 DUE: 3-18-02  
 DEADLINE: 7-18-02  
 INITIALS: gm

DOCKETED BY PRACTICE SYSTEMS

ACTION: Seq. Listing - 2 mo.  
 BASE: 1-18-02  
 DUE: 3-18-02  
 DEADLINE: 7-18-02  
 INITIALS: gm

Docketed By Billing Secretary
Due Date: <u>3/18/02</u>
Deadline: <u>7/18/02</u>
Initials: <u>DAS 1/30/02</u>

Docketed By Billing Secretary
Due Date: <u>3/18/02</u>
Deadline: <u>7/18/02</u>
Initials: <u>DAS 1/30/02</u>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Serial No. : 09/980,525  
Filed : November 15, 2001  
Title : ADENOVIRUS VECTORS ENCODING BRAIN NATRIURETIC PEPTIDE

Art Unit : Unknown  
Examiner : Unknown

**BOX SEQUENCE**

Commissioner for Patents  
Washington, D.C. 20231

VERIFIED STATEMENT UNDER 37 CFR §1.821(f)

I, Judith A. Wasilkus, declare that I personally prepared the paper and the computer-readable copy of the Sequence Listing filed herewith for the above-identified application and that the content of both is the same.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of The United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: March 18, 2002

Judith A. Wasilkus  
Judith A. Wasilkus

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March 18, 2002  
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Vince Defante  
Signature

Vince Defante  
Typed or Printed Name of Person Signing Certificate